

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF INDIA

#### MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, 20th July, 1971

#### Notification

In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (15 of 1908) and in supersession of the notification of the Government of India in the late Ministry of Transport and Shipping (Transport Wing) No. 7-PG(25)/66, dated the 29th September, 1967 the Central Government hereby directs that the Lighthouse and buoy charges payable by a foreign going vessel at the Port of Mormugao shall be levied at the rate of Rs. 23.65 per vessel.

*Explanation:* "Foreign going vessel" means a vessel plying between any port or place in India and any other port or place, or between ports or places outside India.

(No. 7-PG(20)/70)

Sd/-

K. L. GUPTA

Under Secretary to the Government of India.

New Delhi, 20th July, 1971

#### Notification

G. S. R. — In exercise of the powers conferred by sub-section (1) of section 33 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following amendment, with effect from the expiration of sixty days from the date of publication of this notification in the Official Gazette, in the notification of the Government of India in the late Ministry of Transport and Aviation, Department of Transport and Shipping (Transport Wing) No. G. S. R. 282, dated the 21st February, 1967, namely: —

In the schedule to the said notification, in column (2) for the entry "Twenty paise", occurring against the entry "Vessels of over 1000 tons" in column (1), the entry "Twenty five paise" shall be substituted.

(No. 7-PG(20)/70-III)

Sd/-

K. L. GUPTA

Under Secretary to the Government of India.

New Delhi, 20th July, 1971

#### Notification

G. S. R. — In exercise of the powers conferred by sub-section (1) of Section 35 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following Order to amend the Port Mormugao Pilotage (Fees) Order, 1967, namely: —

#### Order

1. *Short title and commencement.* — (1) This Order may be called the Port of Mormugao Pilotage (Fees) Amendment Order, 1971.

(2) It shall come into force at once.

2. For sub-clause (1) of Clause 4, of the Port of Mormugao Pilotage (Fees) Order, 1967 (hereinafter referred to as the said Order), the following sub-clause shall be substituted, namely: —

"(1) if the vessel is not able to move within thirty minutes of the pilot boarding it for the purpose of pilotage, it shall be liable to pay an extra charge at the rate of Rs. 78.75 per half an hour or part thereof beyond thirty minutes, till it moves".

3. In the "SCHEDULE" to the said Order, for Serial Nos. 4, 5, 7, 8, 10, 11 and 13 and the entries relating thereto, the following serial numbers and entries shall respectively be substituted, namely: —

Sr. No.	Nature of service	Pilotage fee payable Rs. P.
"4.	Sea to berth and vice versa for vessels upto 2200 NRT .....	393.75";
"5.	Sea to berth and vice versa for vessels over 2200 and upto 6600 NRT .....	551.25";
"7.	Stream to berth and vice versa or change of berths for vessels upto 2200 NRT ...	315.00";
"8.	Stream to berth and vice versa or change of berths for vessels over 2200 and upto 6600 NRT .....	393.75";
"10.	Change of anchorage for vessels upto 2200 NRT .....	275.65";
"11.	Change of anchorage for vessels over 2200 and upto 6600 NRT .....	315.00";
"13.	Mooring and Unmooring .....	47.25 per operation".

(No. 7-PG(20)/70)

Sd/-

K. L. GUPTA

Under Secretary to the Government of India.

# GOVERNMENT OF GOA, DAMAN AND DIU

Home Department 'A'

## Notification

ED-44-32/71-A

In exercise of the powers conferred by Section 34 of the Police Act, 1861 the Lieutenant Governor of Goa, Daman and Diu hereby specially extends the provisions of section 34 of the said Act to the areas of Saligao, Calangute, Ribandar, Santa Cruz, Chin-chinim, Cuncoim, Curchorem and Colva in this Union Territory with immediate effect.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

M. K. Bhandari, Under Secretary (Home).

Panaji, 18th August, 1971.

Law and Judicial Department

## Notification

LD/53/71

The Gold (Control) Amendment Act, 1971 (21 of 1971) was recently passed by the Parliament and assented to by the President of India is hereby published for the general information of public.

M. S. Borkar, Under Secretary (Law).

Panaji, 2nd July, 1971.

The Gold (Control) Amendment Act, 1971

AN  
ACT

*further to amend the Gold (Control) Act, 1968*

Be it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Gold (Control) Amendment Act, 1971.

(2) It shall be deemed to have come into force on the 20th day of May, 1971.

2. **Amendment of section 71.**—In section 71 of the Gold (Control) Act, 1968 (hereinafter referred to as the principal Act),—

(i) for sub-section (1), the following sub-section shall be, and shall be deemed always to have been, substituted, namely:—

“(1) Any gold in respect of which any provision of this Act or any rule or order made thereunder has been, or is being, or is attempted to be, contravened, together with any package,

covering or receptacle in which such gold is found, shall be liable to confiscation:—

Provided that where it is established to the satisfaction of the officer adjudging the confiscation that such gold or other thing belongs to a person other than the person who has, by any act or omission, rendered it liable to confiscation, and such act or omission was without the knowledge or connivance of the person to whom it belongs, it shall not be ordered to be confiscated but such other action, as is authorised by this Act, may be taken against the person who has, by such act or omission, rendered it liable to confiscation.”;

(ii) for sub-sections (2), (3) and (4), the following sub-sections shall be substituted, namely:—

“(2) Where any package, covering or receptacle referred to in sub-section (1) contains any other goods, such contents shall also be liable to confiscation.

(3) Where any gold is liable to confiscation under sub-section (1), it shall be so liable notwithstanding any change in its form, and where such gold is mixed with other goods in such manner that it cannot be separated from those other goods, the whole of such goods, including the gold, shall be liable to confiscation.

(4) On and from the commencement of the Gold (Control) Amendment Act, 1971, the proviso to sub-section (1) shall also apply to any gold or other thing which is liable to confiscation under sub-section (2) or sub-section (3).”.

3. **Amendment of section 73.**—In section 73 of the principal Act, the word “twice” shall be, and shall be deemed always to have been, omitted.

4. **Reopening of past confiscations.**—(1) Where any order made, before the commencement of this Act, for the confiscation of any gold or other thing or giving option to pay fine in lieu thereof is such that it could not have been made if the principal Act, as amended by this Act, were in force on the date on which the said order was made, the officer competent under section 78 to adjudge such confiscation shall, on an application made to him by the person aggrieved by such order, set aside the order of confiscation or, as the case may be, the order giving option to pay fine in lieu of confiscation, and also any order imposing penalty in addition to confiscation or giving option to pay fine in lieu thereof, and make a fresh adjudication in accordance with the provisions of the principal Act, as amended by this Act.

(2) The power referred to in sub-section (1) shall be exercised by the officer specified therein in relation to the final order of adjudication of confiscation or giving option to pay fine in lieu thereof or imposing any penalty, whether or not such final order was made in appeal under section 80 or in revision under section 81 or section 82.

(3) Every application referred to in sub-section (1) shall be made within ninety days from the commencement of this Act or within such further time, not exceeding ninety days, as the officer specified in that sub-section may, on sufficient cause being shown, allow.

(4) Where, and in so far as, any order for the confiscation of any gold or other thing, or any option given to pay fine in lieu of confiscation, or imposing any penalty is modified or reversed, the officer specified in sub-section (1) shall make an order for such refund or restitution as the circumstances of the case may require:

Provided that where the restitution of any gold or other thing is not practicable, the said authority shall make an order for the payment to the person to whom such restitution is to be made, the market value of such gold or other thing, as on the date on which the fresh adjudication is made.

(5) Nothing in this section shall apply to any confiscation made, option given to pay fine in lieu of confiscation, or penalty imposed under Part XII-A of the Defence of India Rules, 1962.

5. **Validation.** — Notwithstanding any judgment, decree or order of any court, any confiscation made, penalty imposed or fine levied under the Gold (Control) Act, 1968, before the commencement of this Act shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been made, imposed or levied in accordance with the provisions of the Gold (Control) Act, 1968, as amended by this Act. 45 of 1968.

6. **Repeal and savings.** — (1) The Gold (Control) Amendment Ordinance, 1971 is hereby repealed. 8 of 1971.

(2) Notwithstanding such repeal, anything done, any action taken or any order made under the said Ordinance shall be deemed to have been done, taken or made under the corresponding provisions of the Gold (Control) Act, 1968, as amended by this Act. 45 of 1968.

### Notification

LD/53/71

The Maintenance of Internal Security Act 1971 (26 of 71) which was recently passed by the Parliament and assented to by the President of India, is hereby published for the general information of public.

M. S. Borkar, Under Secretary (Law).

Panaji, 2nd August, 1971.

### The Maintenance of Internal Security Act, 1971

AN  
ACT

*to provide for detention in certain cases for the purpose of maintenance of internal security and matters connected therewith*

Be it enacted by Parliament in the Twenty-second Year of the Republic of India as follows: —

1. **Short title and extent.** — (1) This Act may be called the Maintenance of Internal Security Act, 1971.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. **Definitions.** — In this Act, unless the context otherwise requires, —

(a) "appropriate Government" means, as respects a detention order made by the Central Government or a person detained under such order, the Central Government, and as respects a detention order made by a State Government or by an officer subordinate to a State Government or as respects a person detained under such order the State Government;

(b) "detention order" means an order made under section 3;

(c) "foreigner" has the same meaning as in the Foreigners Act, 1946; 31 of 1946

(d) "State Government", in relation to a Union territory, means the administrator thereof.

3. **Power to make orders detaining certain persons.**

(1) The Central Government or the State Government may, —

(a) if satisfied with respect to any person (including a foreigner) that with a view to preventing him from acting in any manner prejudicial to —

(i) the defence of India, the relations of India with foreign powers, or the security of India, or

(ii) the security of the State or the maintenance of public order, or

(iii) the maintenance of supplies and services essential to the community, or

(b) if satisfied with respect to any foreigner that with a view to regulating his continued presence in India or with a view to making arrangements for his expulsion from India,

it is necessary so to do, make an order directing that such person be detained.

(2) Any of the following officers, namely: —

(a) district magistrates,

(b) additional district magistrates specially empowered in this behalf by the State Government,

(c) Commissioners of Police, wherever they have been appointed,

may, if satisfied as provided in sub-clauses (ii) and (iii) of clause (a) of sub-section (1), exercise the power conferred by the said sub-section.

(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the State Government to which he is subordinate together with the grounds on which the order has been made and such other particulars as in his opinion have a bearing on the matter, and no such order shall remain in force for more than twelve days after the making thereof unless in the meantime it has been approved by the State Government:

Provided that where under section 8 the grounds of detention are communicated by the authority making the order after five days but not later than fifteen days from the date of detention, this sub-section shall apply subject to the modification that

for the words "twelve days", the words "twenty-two days" shall be substituted.

(4) When any order is made or approved by the State Government under this section, the State Government shall, within seven days, report the fact to the Central Government together with the grounds on which the order has been made and such other particulars as in the opinion of the State Government have a bearing on the necessity for the order.

**4. Execution of detention orders.**—A detention order may be executed at any place in India in the manner provided for the execution of warrants of arrest under the Code of Criminal Procedure, 1898.

5 of 1898.

**5. Power to regulate place and conditions of detention.**—Every person in respect of whom a detention order has been made shall be liable—

(a) to be detained in such place and under such conditions, including conditions as to maintenance, discipline and punishment for breaches of discipline, as the appropriate Government may, by general or special order, specify; and

(b) to be removed from one place of detention to another place of detention, whether within the same State or in another State, by order of the appropriate Government:

Provided that no order shall be made by a State Government under clause (b) for the removal of a person from one State to another State except with the consent of the Government of that other State.

**6. Detention orders not to be invalid or inoperative on certain grounds.**—No detention order shall be invalid or inoperative merely by reason—

(a) that the person to be detained thereunder is outside the limits of the territorial jurisdiction of the Government or officer making the order, or

(b) that the place of detention of such person is outside the said limits.

**7. Powers in relation to absconding persons.**—

(1) If the Central Government or the State Government or an officer specified in sub-section (2) of section 3, as the case may be, has reason to believe that a person in respect of whom a detention order has been made has absconded or is concealing himself so that the order cannot be executed, that Government or officer may—

(a) make a report in writing of the fact to a Presidency Magistrate or a Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides; and thereupon the provisions of sections 87, 88 and 89 of the Code of Criminal Procedure, 1898, shall apply in respect of the said person and his property as if the order directing that he be detained were a warrant issued by the Magistrate;

5 of 1898.

(b) by order notified in the Official Gazette direct the said person to appear before such officer, at such place and within such period as may be specified in the order; and if the said person fails to comply with such direction he shall, unless he proves that it was not possible for him to

comply therewith and that he had, within the period specified in the order, informed the officer mentioned in the order of the reason which rendered compliance therewith impossible and of his whereabouts, be punishable with imprisonment for a term which may extend to one year or with fine or with both.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, every offence under clause (b) of 5 of 1898, sub-section (1) shall be cognizable.

**8. Grounds of order of detention to be disclosed to persons affected by the order.**—(1) When a person is detained in pursuance of a detention order, the authority making the order shall, as soon as may be, but ordinarily not later than five days and in exceptional circumstances and for reasons to be recorded in writing, not later than fifteen days, from the date of detention, communicate to him the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order to the appropriate Government.

(2) Nothing in sub-section (1) shall require the authority to disclose facts which it considers to be against the public interest to disclose.

**9. Constitution of Advisory Boards.**—(1) The Central Government and each State Government shall, whenever necessary, constitute one or more Advisory Boards for the purpose of this Act.

(2) Every such Board shall consist of three persons who are, or have been, or are qualified to be appointed as, Judges of a High Court, and such persons shall be appointed by the Central Government or the State Government, as the case may be.

(3) The appropriate Government shall appoint one of the members of the Advisory Board who is, or has been, a Judge of a High Court to be its Chairman, and in the case of a Union territory the appointment to the Advisory Board, of any person who is a Judge of the High Court of a State shall be with the previous approval of the State Government concerned.

**10. Reference to Advisory Boards.**—Save as otherwise expressly provided in this Act, in every case where a detention order has been made under this Act, the appropriate Government shall, within thirty days from the date of detention under the order, place before the Advisory Board constituted by it under section 9 the grounds on which the order has been made and the representation, if any, made by the person affected by the order, and in case where the order has been made by an officer, also the report by such officer under sub-section (3) of section 3.

**11. Procedure of Advisory Boards.**—(1) The Advisory Board shall, after considering the materials placed before it and, after calling for such further information as it may deem necessary from the appropriate Government or from any person called for the purpose through the appropriate Government or from the person concerned, and if, in any particular case, it considers it essential so to do or if the person concerned desires to be heard, after hearing him in person, submit its report to the appropriate Government within ten weeks from the date of detention.

(2) The report of the Advisory Board shall specify in a separate part thereof the opinion of the Advisory Board as to whether or not there is sufficient cause for the detention of the person concerned.

(3) When there is a difference of opinion among the members forming the Advisory Board, the opinion of the majority of such members shall be deemed to be the opinion of the Board.

(4) Nothing in this section shall entitle any person against whom a detention order has been made to appear by any legal practitioner in any matter connected with the reference to the Advisory Board, and the proceedings of the Advisory Board and its report, excepting that part of the report in which the opinion of the Advisory Board is specified, shall be confidential.

#### 12. Action upon the report of Advisory Board. —

(1) In any case where the Advisory Board has reported that there is in its opinion sufficient cause for the detention of a person, the appropriate Government may confirm the detention order and continue the detention of the person concerned for such period as it thinks fit.

(2) In any case where the Advisory Board has reported that there is in its opinion no sufficient cause for the detention of the person concerned, the appropriate Government shall revoke the detention order and cause the person to be released forthwith.

13. Maximum period of detention. — The maximum period for which any person may be detained in pursuance of any detention order which has been confirmed under section 12 shall be twelve months from the date of detention:

Provided that nothing contained in this section shall affect the power of the appropriate Government to revoke or modify the detention order at any earlier time.

#### 14. Revocation of detention orders. —

(1) Without prejudice to the provisions of section 21 of the General Clauses Act, 1897, a detention order may, at any time, 10 of 1897. be revoked or modified —

(a) notwithstanding that the order has been made by an officer mentioned in sub-section (2) of section 3, by the State Government to which that officer is subordinate or by the Central Government;

(b) notwithstanding that the order has been made by a State Government, by the Central Government.

(2) The revocation or expiry of a detention order shall not bar the making of a fresh detention order under section 3 against the same person in any case where fresh facts have arisen after the date of revocation or expiry on which the Central Government or a State Government or an officer, as the case may be, is satisfied that such an order should be made.

15. Temporary release of persons detained. — (1) The appropriate Government may, at any time, direct that any person detained in pursuance of a detention order may be released for any specified period either without conditions or upon such conditions specified in the direction as that person accepts, and may, at any time, cancel his release.

(2) In directing the release of any person under sub-section (1), the appropriate Government may require him to enter into a bond with or without sureties for the due observance of the conditions specified in the direction.

(3) Any person released under sub-section (1) shall surrender himself at the time and place, and to the authority, specified in the order directing his release or cancelling his release, as the case may be.

(4) If any person fails without sufficient cause to surrender himself in the manner specified in sub-section (3), he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

(5) If any person released under sub-section (1) fails to fulfil any of the conditions imposed upon him under the said sub-section or in the bond entered into by him, the bond shall be declared to be forfeited and any person bound thereby shall be liable to pay the penalty thereof.

16. Protection of action taken in good faith. — No suit or other legal proceeding shall lie against the Central Government or a State Government, and no suit, prosecution or other legal proceeding shall lie against any person, for anything in good faith done or intended to be done in pursuance of this Act.

17. Duration of detention in certain cases of foreigners. — (1) Notwithstanding anything contained in this Act, any foreigner in respect of whom an order of detention has been made under this Act may be detained without obtaining the opinion of the Advisory Board for a period longer than three months, but not exceeding two years from the date of his detention, in any of the following classes of cases or under any of the following circumstances, namely: —

(a) where such foreigner enters or attempts to enter the territory of India or is found therein with arms, ammunition or explosives, or

(b) where such foreigner enters or attempts to enter a notified area or is found in contravention of section 3 of the Criminal Law Amendment Act, 1961, or

23 of 1961.

(c) where such foreigner enters or attempts to enter the local limits or is found within the local limits of such area adjoining the borders of India as may be specified in an order made under section 139 of the Border Security Force Act, 1968, without a valid 47 of 1968. travel document, or

(d) where the Central Government has reason to believe that such foreigner commits or is likely to commit any offence under the Official Secrets Act, 1923.

19 of 1923.

(2) In the case of any foreigner to whom sub-section (1) applies, sections 10 to 13 shall have effect subject to the following modifications, namely: —

(a) in section 10, for the words "shall, within thirty days", the words "may, at any time prior to but in no case later than three months before the expiration of two years" shall be substituted;

(b) in section 11, —

(i) in sub-section (1), for the words "from the date of detention", the words "from the date on which reference is made to it" shall be substituted;

(ii) in sub-section (2), for the words "the detention of the person concerned", the words "the continued detention of the person concerned" shall be substituted;

(c) in section 12, for the words "for the detention" in both the places where they occur, the words "for the continued detention" shall be substituted;

(d) in section 13, for the words "twelve months", the words "three years" shall be substituted.

**18. Repeal and saving.**—(1) The maintenance of Internal Security Ordinance, 1971, is hereby repealed. Ord. 5 of 1971.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act as if this Act had come into force on the 7th day of May, 1971.

### Legislature Department

#### Notification

LA/A/7/1381/71

In exercise of the powers conferred on him by Rule 117 of the Rules of Procedure and Conduct of Business of Legislative Assembly of Goa, Daman and Diu, the Speaker has ordered publication of the following Bill for general information.

The Goa, Daman and Diu Municipalities  
(Amendment) Bill, 1971  
(Bill No. 17 of 1971)

#### A BILL

*to amend the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969).*

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-second Year of the Republic of India as follows:—

**1. Short title.**—This Act may be called the Goa, Daman and Diu Municipalities (Amendment) Act, 1971.

**2. Amendment of section 56.**—In section 56 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969), —

(a) in clause (a) of sub-section (2), for the words 'the Collector', the words 'the Director' shall be substituted;

(b) in sub-section (3), after the words 'under sub-section (2) convene a special meeting of the Council', the words 'with three clear days' notice

served upon the Councillors and posted up at the municipal office, specifying the date, hour and place at which such meeting is to be held and the resolution to be considered thereat' shall be inserted;

(c) in the proviso to clause (b) of sub-section (4), for the words 'no order shall be passed by the such meeting', the words 'if the President is not present at such meeting' shall be substituted; and

(d) in sub-section (4), before the last period beginning with the words 'The co-opted Councillors present at the meeting', the figure within bracket '(5)' shall be inserted.

#### Statement of Objects and Reasons

The Bill seeks to amend section 56 of the Goa, Daman and Diu Municipalities Act, 1968. If the Bill is passed, the requisition for special meeting for considering the resolution for removal from Office of the President of a municipal council will have to be sent to the Director and not the Collector. This should be so in view of the provision of sub-section (3) of the said section 56, whereby it is the Director who should convene the meeting in such case, within ten days of the receipt of the requisition. The amendment also provides for the notice for the meeting, whether for considering the resolution for removal from office of the President or the Vice-President. The amendment further provides for the correction of a printing mistake occurred in sub-section (4) and for the numbering of last period of the said section as sub-section (5) thereof.

The amendment of section 56 sought by the Bill is partly consequential, partly incidental and partly corrective of an obvious printing error.

Panaji,  
7th August, 1971.

ORLANDO S. LOBO. MLA

Assembly Hall,  
Panaji,  
August, 17, 1971.

V. L. DANDWATE  
Under Secretary to the Legislative  
Assembly of Goa, Daman and Diu

### Local Self Government Department

#### Notification

3-120-71-LSG

The following draft rules which the Government of the Goa, Daman and Diu proposes to make under the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) are hereby published for the information of all persons likely to be affected thereby. If any person has any suggestions or objections to make regarding the said draft, the same may be sent to the Under Secretary to the Government of Goa, Daman and Diu in the Department of Local Self Government, Secretariat, Panaji within 15 days of the publication of this notification in the Official Gazette so that they may be taken into consideration by the Government at the time of finalisation of the said rules.



## DRAFT RULES

In exercise of the powers conferred by Sub-section (1) of section 306 read with sub-section (2) of section 47 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) and all other powers enabling him in that behalf, the Lt. Governor of Goa, Daman and Diu hereby makes the following rules, namely:

1. *Short title.*—These rules may be called the Goa, Daman and Diu Municipalities (Special Notice to Councillors for Taxes) Rules, 1971.

2. *Form of special notice under sub-section (2) of section 47.*—The special notice to be issued by the Chief Officer under sub-section (2) of section 47 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) shall be in the form appended to these rules.

## FORM

Form of special notice under sub-section (2) of section 47

(See rule 2)

To

A. B. ... Councillor/Vice-President/ President of the ... Council, residing at ...

Take notice that in spite of the notice of demand served on you under section 146 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) you have on the 1st day of ... 19 ... failed to pay the tax specified below due to by you to the ... Council, within two months from the date on which the said tax became payable:

Name of the tax	Amount of tax	Date from which it has become payable
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Total amount of tax due Rs. ...

In pursuance of the provisions of sub-section (2) of section 47 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) you are hereby required to pay the said amount of Rs. ... due from you within one month from the date of this special notice.

Dated this ... day of ... 19 ...

(Signed) ...

Chief Officer

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

J. C. Almeida, Secretary (Industries and Labour).

Panaji, 2nd August, 1971.

## Notification

3-119-71-LSG

The following draft of the Goa, Daman and Diu Municipalities (Writing off of Irrecoverable Tax, Fee and Dues) Rules, 1971 which the Govt. of Goa, Daman and Diu in exercise of the powers under section 306 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) proposes to make is hereby published for general information. If any person has any suggestion or objection to make regarding the said draft, the same may be sent to the Under Secretary to the Government of Goa, Daman and Diu in the Department of Local Self Government within 15 days of its publication so that they may be taken

into consideration by the Government at the time of finalisation of the said draft.

## DRAFT RULES

In exercise of the powers conferred by sub-section (1) of section 306 read with section 162 of the Goa, Daman and Diu Municipalities Act, 1968 (No. 7 of 1969) and all other powers enabling him in this behalf, the Lt. Governor of Goa, Daman and Diu hereby make the following rules, namely:—

1. *Short title.*—These rules may be called the Goa, Daman and Diu Municipalities (Writing off of Irrecoverable Tax, Fee and Dues) Rules, 1971.

2. *Resolution under section 162 to contain certain particulars.*—Every resolution to be passed by a Council under the first proviso to section 162 of the Goa, Daman and Diu Municipalities Act, 1968 approving the writing off of any tax, fee or other amount to the Council, shall specify—

- the amount sought to be written off and the name of the person from whom, and the period for which, it is outstanding;
- the processes followed by the Council for the recovery of the amount; and
- the reasons for which the Council considers that the amount is irrecoverable.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 11th August, 1971.

## Development Department 'A'

## Notification

CDB/VPT/486/69

In exercise of the powers conferred by Section 65 read with Section 83 of the Goa, Daman and Diu Village Panchayats Regulation (Amendment) Act, 1969 and of all other powers enabling him in that behalf, the Lt. Governor of Goa, Daman and Diu hereby makes the following rules namely:—

1. *Short title.*—These rules may be called the Goa, Daman and Diu Village Panchayats (Regulation of Buildings) Rules, 1971.

2. *Definitions.*—In these rules, unless the context otherwise requires:—1) "agriculture" includes horticulture, farming, growing of crops, fruits, vegetables, flowers, grass, fodder and trees, any kind of cultivation of soil, breeding and keeping of live stock including cattle, horses, donkeys, mules and pigs, fish breeding, poultry farming and bee keeping, any use of land which is ancillary to the farming of land or to any purpose aforesaid, but shall not include the use of any land attached to a building for the purposes of gardens to be used along with such buildings; and "agricultural" shall be construed accordingly.

2) "Building Line" means the line which is parallel to the street alignment or boundary and to which

the plinth of a building adjoining a street or an extension of a street or a future street may lawfully extend and includes the line prescribed, if any, in any development plan or in these rules.

3) "Technical Officer" means any officer appointed by the Government for the purposes of these Rules.

3a) "Senior Town Planner" means Senior Town Planner of the Government of Goa, Daman and Diu.

4) "development" with its grammatical variations, means the carrying out of building, engineering, mining, quarrying or other operations in, on over or under land, the cutting of a hill or any portion thereof or the making of any material change in any building or land or in the use of any building or land including sub-division of any land;

5) "land" includes benefits arising out of land, and things attached to the earth or permanently fastened to anything attached to the earth;

6) "owner" means: —

a) when used with reference to any premises, the person who receives the rent of the said premises, or who would be entitled to receive the rent thereof if the premises were let out and includes: —

i) an agent, or trustee, who receives such rent on account of the owner;

ii) an agent, or trustee, who receives the rent of any premises devoted to religious or charitable purposes;

iii) a receiver, Administrator or manager appointed by any Court of competent jurisdiction to have the charge of, or to exercise the rights of an owner, of any premises; and

iv) a mortgagee-in-possession; and

b) when used with reference to any animal, vehicle or boat, includes the person for the time being in charge of the animal, vehicle or boat;

7) "plot" means a continuous portion of land held in one ownership;

8) "Private street" means any street, road square, court, alley passage or riding path which is not a public street, but does not include a path-way made by the owner of premises on his own land to secure the access to or the convenient use of such premises;

9) "public place" means any place or building which is open to the use and enjoyment of the public whether it is actually used or enjoyed by the public or not, and whether the entry is regulated by any charge or not;

10) "residence" includes the use for human habitation of any land or building or part thereof including gardens, garages, stable, and out houses, if any, appurtenant to such building and "residential" shall be construed accordingly.

11) Words and expressions not defined in the rules shall have the same meaning as in the Goa, Daman and Diu Municipalities Act, 1968.

### 3. Procedure for submission and scrutiny of application for development of land or sub-division. —

1) From the date of coming into force of these Rules, no change in the use of land or its development or sub-division of plot or layout of Private Street shall be made except with the written permission of the

Panchayat for any land falling within the area of such Panchayat.

(2) On receipt of an application for permission under sub-rule (1) above, the Panchayat shall (a) furnish to the applicant a written acknowledgement within a period of one week from its receipt;

(b) After enquiry as may be necessary, send the application along with its enclosures and enquiry report thereon, within a period of one week, from the date the said application was acknowledged, to the Technical Officer.

(3) (a) The Technical Officer shall, in cases of Panchayats other than those specified in the Appendix appended to these rules, advise the Panchayats, within a period of one month to sanction plans with or without modification or subject to such conditions as he considers expedient or to refuse to give sanction. In cases of Panchayats specified in the said Appendix, the Technical Officer shall, submit applications along with its enclosures to the Senior Town Planner;

(b) The Senior Town Planner shall, whenever the applications are referred to him, communicate his decision to the Village Panchayats within one month of receipt of such applications by him.

(4) In case of any disagreement between the Technical Officer and the Village Panchayat, the matter shall be referred to the Senior Town Planner, whose decision shall be final and binding on all the parties.

(5) On receipt of the decision of the Technical Officer or the Senior Town Planner under Sub-rule (3) above, the Panchayats shall communicate the same to the applicant within a period of one week from the date of such decision.

4. **Site Plans.** — The site plan sent with the application for permission shall be drawn to a scale of 1/500 and shall show;

a) the boundaries of the site;

b) the direction of the North point relative to the plan of the buildings;

c) all existing buildings or structures on, over, or under the site or projecting beyond the site;

d) all surrounding buildings, in outline within a distance of 25 mts. from the boundaries of the site;

e) the name of the street on which the building is proposed to be situated (if any) or location and name of the nearest street, public or religious building;

f) the position of access from the street to the building;

g) the width of the street in front and of the street at the side of the building if any;

h) the dimension of front, rear and side set backs, if any and also of the space to be left about the buildings to secure a free circulation of air, and admission of light;

i) the position of kitchens, staircases, privies, urinals, drains cesspools, stables, cattle-sheds, garages, wells and other appurtenances of the building;

j) a clear indication of the area of the plot, plot coverage and the floor area ratio.

5. **Building Plans.** — The plans, sections and elevations of the building or buildings accompanying the



notice shall be accurately drawn to a scale of 1 meter to 1 cm. in triplicate and in quadruplicate in case of the Panchayats included in the Appendix 'A' appended to these rules.

a) Plans of all floors, basements, terraces and accessory buildings indicating clearly (i) the north point, the percentage of covered area, the sizes and spacing of all supporting members, and dimensions of rooms; (ii) exact location of essential services such as W.C.s, sinks and baths; (iii) terrace plan indicating the drainage and the slope of the roof;

b) Sectional drawings showing clearly the materials used, sizes of footings, the thickness of basement walls, roof, floor slabs and walls, the sizes and spacing of framing members and the ceiling and parapet heights. The sections should indicate the drainage and slope of the roofs and at least one section should be taken through the staircase;

c) All street elevations;

d) Plans and sections of private water supply and sewage disposal system (if any).

*Note:* — 1. The drawing are to indicate where necessary, adequate arrangements for proper drainage;

2. Details of service latrines, if any;

3. Dimensions of the portions projecting beyond the permissible building line.

**6. Signing the Plans.** — All the plans shall be duly signed by (i) the owner and (ii) an Architect/Engineer registered with the P. W. D. of the Government of Goa, Daman and Diu with his name, address, qualifications and registered number allotted by the said department.

**7. Duration of sanction.** — The sanction once accorded shall remain valid upto three years during which period a completion certificate from the registered Architect/Engineer shall be submitted and if this is not done, the sanction shall be got revalidated before the expiration of the said period. Revalidation shall be subject to the rules then in force.

**8. Notification stages.** — As work progresses under a building permit, the holder thereof shall cause the Panchayat concerned and Technical Officer to be notified at the following stages of construction: —

a) Upon commencement of the work;

b) Upon completion upto the plinth level and before erection of the foundation walls;

c) Upon total completion of the work authorised by the building permit and before occupancy.

Inspection as required under a) and b) shall be made within seven days following the receipt of notification after which period the owner will be free to continue the construction according to the sanctioned plan. At the first inspection the Panchayat concerned shall determine that the building has been located in accordance with the site plans and covered area complying with the requirements of these rules. The final inspection indicated under (c) shall be made within 21 days following the receipt of notification for the grant of an occupancy certificate.

**9. Revocation of Permit.** — The Panchayat concerned may revoke any permit issued under the provision of these rules, wherever there has been any

false statement or any misrepresentation of any material passed, approved or shown in the application on which the permit was based.

**10. Occupancy certificate.** — No building hereafter erected, re-erected or altered materially shall be occupied in whole or part until an occupancy certificate is issued by the Technical Officer after conducting the site inspection as per clause 8(c), after affirming that such a building conforms in all respects to the requirements of these rules and is fit for occupation.

**11. Safe structures.** — All structures shall be designed, built and maintained that under the conditions of dead and live loads, the stresses in any of the materials of construction or in the materials on which a structure rests shall not exceed the permissible limits as laid down by the Indian Standards Institute.

**12. Construction of buildings on plots in layout to conform to certain standards.** — The area of each individual plot shall not be less than 100 sq. metres. The set back, Floor Area Ratio, Coverage etc., shall be as follows: —

a) Plots between 100 sq. metres and 200 sq. metres will have a maximum coverage of 50 per cent.

Front set back	3.0 m.
Rear set back	3.0 m.
Side set backs	1.5 m. each

In these category of plots construction is limited to ground floor only.

b) Plots measuring 200 to 500 sq. metres.

Coverage	50%
Front set back	3.0 m.
Rear set back	3.0 m.
Side set backs	3.0 m. each

In these category of plots construction is limited to ground and one up only.

c) Plots measuring more than 500 sq. metres.

Maximum Coverage	40%
Front set backs	3.0 m.
Rear set backs	3.0 m. or half the height of the building whichever is more.

Side set backs where the height of the building varies Minimum width of open space throughout

ground floor	3.0 m.
ground floor and one up	3.30 m.
ground floor and 2 up	4.0 m.
ground floor and 3 up	4.70 m.
Floor Area Ratio	100 m.

Floor Area Ratio or F.A.R. means the quotient obtained by dividing the multiple of the total of the covered area on all floors and 100 divided by the area of the plot i.e.

$$F. A. R. = \frac{\text{total covered area on all floors} \times 100}{\text{Plot Area}}$$

*Note:* — These regulations shall be applied only to the plots falling in residential areas, which will be determined by the Technical Officer. For other uses the F.A.R., coverage etc., will be governed

by site conditions and locations as may be determined by the Technical Officer.

Where plots front on classified roads, such as National Highway, State Highway, Major District Road, other District Road or Village Road, the building and the control lines shall be in accordance with such standards as may be prescribed by or under any law for the time being in force, and in the absence of such law in force in the village, by executive orders by the Government for prevention of ribbon development.

### 13. Means of Access. —

a) Every person who erects a building shall provide as means of access to such building a clear way not less than 3.0 metres in width from a street to the entrance door of such buildings, such pathways to be, so long as it is used as a means of access to the building, maintained free from any construction and shall not at any time cause or permit any portion of any building below a height of 4.50 m to overhang or project over or into such a passage. However in case of traditional/contraventional access exists, the same may be shown as access to the plot concerned, which will have to be duly certified by the Panchayat.

b) A person who undertakes construction works on a building shall not reduce the access to any building previously existing below the minimum width of 5 m.

c) No building shall be erected so as to deprive any other building of the means of access as provided in this clause.

d) The means of access under these rules shall not be deemed to be suitable and sufficient until they have been approved by the Panchayat concerned which shall have power to prescribe the width of the clear way which he shall communicate.

**14. Minimum Ceiling Height of rooms. —** Every habitable room in any building shall be in every part at least 3.0 metres in height from the floor to the underside of the roof slab or ceiling, provided that in the case of sloped roof the height shall not be less than 2.5 metres.

**15. Minimum size of habitable rooms. —** No habitable room shall have a floor area of less than 10.00 sq. mts. except in the case of hostels attached to recognised educational institutions where the minimum size of habitable room for the residence of a single person may be 8.5 square metres. The minimum width of a habitable room shall be 2.80 sq. metres.

**16. Lighting and Ventilation of rooms. —** Every habitable room shall have for the admission of light and air, one or more apertures such as windows, fanlights etc., opening directly to the external air into an open verandah and of an aggregate area, inclusive of frames, of not less than 1/10 of the floor area excluding doors, except in cases of hospital wards, dormitories and school where such apertures are to be not less than 1/6 of the floor area.

**17. Bathrooms and water closets. —** 1) Every bathroom or water closet shall: —

a) be so situated that at least one of its walls shall open to external air.

b) have (i) a floor area in case of bathrooms inclusive of water closets of not less than 4 sq. metres for which the smallest side shall not be less than 1.25 metres; and ii) in case of a bathroom exclusive of a water closet, the floor area shall be not less than 2.6 sq. metres and the smallest side not less than 1.25 sq. metres; and (iii) in case of separate water closet the floor area shall not be less than 1.35 sq. metres and the smallest side not less than one metre.

c) bathrooms shall have a window or a ventilator open to external air of a superficial area of not less than 0.80 sq. metres and the water closet if separate shall have a window or a ventilator open to external air of a superficial area of not less than 0.50 sq. metres.

d) height of not less than 2.10 metres.

2) Every bathroom or water closet shall: —

a) not be directly over or under any other room other than another bathroom or water closet, washing place, terrace or bath, unless it has a water tight floor;

b) have the platform or seat either plastered with cement, or be made of some water tight non absorbent material;

c) be enclosed by walls or partitions of brick or stone. The surface of every such wall or partition shall be finished with a smooth impervious surface such as cement plaster 1/2" thick or any other suitable material to a height of one metre above the floor of such room;

d) have an impermeable floor made of smooth hard material having a suitable fall to a soil pipe with an adequate trap connection and have a floor level of such a height so as to ensure suitable grade towards the sewage drain.

3. No room containing a water closet shall be used for any purpose other than a lavatory and no such room shall open directly into any kitchen or cooking space. Every room containing a water closet shall have a door completely closing the entrance to such a room.

**18. Service Latrines. —** A service latrine shall have: —

a) A floor area of not less than 2.25 sq. metres of which the smallest side shall not be less than one metre;

b) A window or a ventilator of a superficial area of not less than 0.5 sq. metres;

c) An impermeable floor made of smooth hard material having a slope of 0.5 per cent towards the back of the latrine;

d) An impermeable dado 1 metre high;

e) Height not less than 2.10 metres.

**19. Kitchens. —** 1) A kitchen shall have a floor area of not less than 5 sq. metres and shall not be less than 1.75 metres in width in case of plots having an area upto 200 sq. metres and shall have a floor area of not less than 7 sq. metres and shall not be less than 2 metres in width in case of plot having an area more than 200 sq. metres. Each kitchen not fully equipped with electric or gas cooking appliances shall be provided with a flue.

2) Every room to be used as a kitchen shall have:—

- a) a height of not less than 2.8 metres;
- b) a window of not less than that 0.5 sq. metres superficial area;
- c) an impermeable floor and an impermeable dado one metre high;

d) The height of the plinth for the main building shall not be less than 0.50 metres and that for cattle shed and the like not less than 0.2 metre above the general ground level.

**20. Building abutting on two or more streets.**— If a building abuts on two or more streets of different widths, the building shall be deemed for the purpose of this rule to face upon the street that has the greater width and the height of the building shall be related by the width of that street and may be continued at this height to a depth of 13.5 metres along the narrower street subject to the conformity with the prescribed road angles.

**21. Dimension for staircase, steps, corridor, passage and balcony.**— i) In a residential building, no staircase shall be less than 0.9 metres in width and no step shall have a rise of more than 20 cms. and a tread of less than 25 cms. In case of a service spiral staircase, the width shall not be less than 0.75 metre;

ii) No corridor or passage or balcony in any residential building shall be less than 0.90 metres.

**22. Regular line of Street.**— No portion of any building shall project beyond the prescribed set back of any street or highway.

**23. Sites containing deposited refuse.**— No building shall be constructed on any site on any part of which there is deposited refuse, excreta or other offensive matter to which the health authority having jurisdiction objects, until such refuse has been prepared or left in manner suitable for building purpose to the satisfaction of the Panchayat concerned. Provided that where it is intended to found a building on piles or on reinforced concrete pillars, the Panchayat concerned may approve the erection of such a building after the refuse has been appropriately treated by chemical or some other manner to the satisfaction of the Panchayat concerned and has been covered by a layer of sand or other suitable material to a depth of not less than 0.6 metres, or by a layer of cement concrete not less than 15 cms. thick.

**24. Damp Sites.**— Wherever the dampness of a site or the nature of the soil renders such precautions necessary, the ground surface of the site between the walls of any building erected thereon shall be covered with a layer of sound cement concrete not less than 15 cms. thick or with asphalt paving on a layer of closely packed broken stone hard cake not less than 15 cms. thick or be otherwise rendered damp proof to the satisfaction of the Panchayat concerned.

**25. Defective Work.**— The Panchayat concerned shall have the power to condemn any work, workmanship or materials executed by any person under or by virtue of or pursuant to this part of these rules which in its opinion is unsatisfactory or is likely to constitute a danger to health. Any work, workmanship or materials so condemned shall be re-

medied, amended or made good or shall be removed in whole or in part and replaced by new work, workmanship or materials as the Panchayat concerned may require until finally completed to its entire satisfaction.

**26. Water Supply and Sanitary Installations.**— The requirements regarding water supply and sanitary installations of the buildings shall conform to those specified in LS. 1172-1957.

**27. Building under dangerous conditions.**— Buildings considered to be in danger although they do not fall in line of imminent ruin, will be asked to be vacated by the Panchayat concerned and shall be declared habitable only when proper repairs are undertaken and considered to be in a good condition of security. The demolition of structures shall be obligatory when they are declared unhealthy and infectious by the Health authorities concerned and not in position to be repaired.

**28. Latrines with an opening on public roads.**— It is prohibited to have latrines opening on to public roads and on the lateral sides of neighbouring houses.

**29. Disposal of Sewage.**— Until arrangements are made for the removal of waste by an appropriate water-borne system it will be obligatory for every application for a new construction or major additions or alterations to be accompanied by plans for properly designed septic tanks within the curtilage of the plot. If there is insufficient space for the adoption of this method or adequate water supply is not guaranteed for the smooth functioning of this system, then the Panchayat concerned may permit the removal of waste after proper chemical treatment in removable tanks which can be conveniently collected by the appropriate department of the Panchayat. Any other method for removal of waste would need sanction of the Panchayat concerned.

**30. Construction of horse stables, cattle yards and factories of washable corrosive products prejudicial to health,** can take place in less than 100 metres of any existing drinking well.

**31. Construction of wells.**— No drinking water well can be opened without prior consent of the Panchayat concerned.

**32. Oven for white washing powder.**— White washing powder cannot be coaled within a distance of 100 metres from an habitable area or public road.

**33. Architectural Features.**— 1) Appearance and Disfigurements: No Building shall be erected which in the opinion of the Panchayat concerned constitutes a disfigurement to or an interference with the aesthetic and other amenities of the area. No construction or alterations which in the opinion of the Panchayat concerned will depreciate neighbouring properties or cause annoyance to residents in the neighbourhood shall be permitted. The appearance of all new buildings shall be subject to the approval of the Panchayat concerned.

2) Unfinished Buildings:— No building shall be left with unfinished portions including projecting reinforcing bars, which in the opinion of the Panchayat concerned are unsightly, unless within the

permission prescribing conditions with respect to the structure and period for which such permission remain valid.

#### 34. Control of building activities along highways.

— 1) In order to regulate and control building activities along National highways, State Highways, West Coast Highways, Major District roads and major urban roads as notified by the Principal Engineer, P.W.D. in consultation with the Senior Town Planner from time to time, persons responsible for carrying out excavation, earth work, construction, demolition or repairs to all sites within 100 m from these roads shall apply to the Panchayat concerned for permission to carry out such work in accordance with the set back mentioned here below: —

Type of building activities	National Highway or State Highway or West Coast Highway	Major District Road	Village Roads
Theatres, Industrial Units etc. Major Commercial Establishments	8 m. front set back	5 m. front set back	8 m.
Residential	5 m. front set back	3 m. front set back	3 m.
Institutional	8 m. front set back	5 m. front set back	5 m.
Excavation	100 m. front set back	100 m. front set back	50 m.

2) Compound Wall:— Any construction of compound wall along the above category roads, and other roads shall be permitted on temporary basis i.e. that part of the plot affected by the proposed R/W compound walls in such cases shall be of the approved design, with 1.0 metres height and construction material of a temporary nature. This compound wall erected along the above category of the roads, and other roads shall be demolished by the owners when the notice is served to them without any compensation for the same.

35. Authority to enter into land.— The Panchayat/Technical Officer or Town Planning Department of the Government may authorise any person to enter into or upon any land or building with or without assistance or workmen for the purpose of: —

- a) making any enquiry, inspection, measurement or survey or for taking levels of such land or buildings;
- b) examining works under construction and ascertaining the course of sewers and drains;
- c) digging or boring into the sub-soil;
- d) setting out boundaries and intended lines of work;
- e) making such levels, boundaries and lines by placing marks and cutting trenches;
- f) ascertaining whether any land is being or has been developed in contravention of these bye-laws and regulations or without the permission referred to and in contravention of any conditions subject to which such permission is granted; or
- g) doing any other thing necessary for the efficient administration of present regulations and rules;

Provided that —

- i) no such entry shall be made except between the hours of sunrise and sunset and by giving reasonable notice to the occupier, or if there be no occupier to the owner of the land or buildings;
- ii) sufficient opportunity shall in every instance be given to enable women (if any) to withdraw from such land or buildings;
- iii) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages, of the occupants of the land or building entered.

36. Directions from the Government to the Panchayats. — The Panchayat concerned shall carry out such directions as may be issued from time to time by the Government of Goa, Daman and Diu for the efficient administration of these regulations.

37. Penal Provisions. — 1) Any construction in contravention to the rules shall be demolished by the owners on receipt of a notice from the concerned authorities within the stipulated time. In case the owner fails to demolish the construction illegally put up, the authorities shall demolish the same and the cost of demolition shall be collected from the defaulters.

2) Any person who fails to comply with the notice issued by the Panchayat, under the provisions of these rules, shall on conviction be punished with fine which may extend upto Rs. 50/- (Rupees fifty only) and in case of a continuing contravention, with an additional fine which may extend to five rupees for every day during which such contravention continues.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. Kipgen, Development Commissioner.

Panaji, 23rd August, 1971.

#### APPENDIX "A"

- |             |                      |
|-------------|----------------------|
| 1) Salcete  | 1. Aquem.            |
|             | 2. Navelim.          |
|             | 3. Davorlim.         |
|             | 4. Colva.            |
|             | 5. Benaolim.         |
|             | 6. Loutolim.         |
|             | 7. Verna.            |
| 2) Goa      | 1. Taleigao.         |
|             | 2. Santa-Cruz.       |
|             | 3. Mercas.           |
| 3) Mormugao | 1. Chicalim-Bogmalo. |
|             | 2. Sancoale.         |
|             | 3. Cortalim.         |
|             | 4. Cansaulim.        |
|             | 5. Velsao.           |
| 4) Bardez   | 1. Calangute.        |
|             | 2. Socorro.          |
|             | 3. Penha de Franca.  |
| 5) Ponda    | 1. Curti.            |
| 6) Bicholim | 1. Sanquelim.        |
|             | 2. Bordem.           |
| 7) Quepem   | 1. Curchorem.        |
|             | 2. Deao.             |

## Labour and Information Department

## ORDER

LC/1/71

The following Notification from the Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), New Delhi, is hereby republished for the information of all concerned.

*F. A. Figueiredo*, Under Secretary (Labour).

Panaji, 9th August, 1971.

## Notification

*Dated the 21st April, 1971*

S. O. — In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948, the Central Government hereby makes the following Scheme further to amend the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965, the same having been published as required by the said sub-section, namely: —

1. This Scheme may be called the Mormugao Dock Workers (Regulation of Employment) Amendment Scheme, 1971.

2. In clause 46 of the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965 (hereinafter referred to as the said Scheme), for item (b) of sub-clause (3), the following item shall be substituted, namely: —

“(b) Where a worker has been suspended by an order under item (a), he shall be paid for the first ninety days from the date of suspension, a subsistence allowance to one-half of the basic wages, dearness and other allowances to which he would have been entitled if he were on leave with wages, and thereafter the Chairman may, in exceptional cases, grant higher subsistence allowance not exceeding three-fourths of such basic wages, dearness and other allowances:

Provided that where such enquiry is prolonged beyond a period of ninety days for reasons directly attributable to the worker, the subsistence allowance shall, for the period exceeding ninety days, be reduced to one-fourth of the basic wages, dearness and other allowances”.

3. In clause 47 of the said Scheme, for item (a) of sub-clause (5), the following item shall be substituted, namely: —

“(a) Where a worker has been suspended pending enquiry, he shall be paid for the first ninety days from the date of suspension, a subsistence allowance to one-half of the basic wages, dearness and other allowances to which he would have been entitled if he were on leave with wages, and thereafter the Chairman may, in exceptional cases, grant higher subsistence allowance not exceeding three-fourths of such basic wages, dearness and other allowances:

Provided that where such enquiry is prolonged beyond a period of ninety days for reasons

directly attributable to the worker, the subsistence allowance shall, for the period exceeding ninety days, be reduced to one-fourth of the basic wages, dearness and other allowances”.

4. In clause 53 of the said Scheme, for item (a) of sub-clause (2) (iii), the following item shall be substituted, namely: —

“(a). Where a worker has been suspended pending enquiry, he shall be paid for the first ninety days from the date of suspension, a subsistence allowance to one-half of the basic wages, dearness and other allowances to which he would have been entitled if he were on leave with wages, and thereafter the Chairman may, in exceptional cases, grant higher subsistence allowance not exceeding three-fourths of such basic wages, dearness and other allowances:

Provided that where such enquiry is prolonged beyond a period of ninety days for reasons directly attributable to the worker, the subsistence allowance shall, for the period exceeding ninety days, be reduced to one-fourth of the basic wages, dearness and other allowances”.

[No. 528/183/65-Fac.II/P&D]

Sd/-

AJIT CHANDRA

Under Secretary to the Government of India.

## ORDER

LC/1/71

The following Notification from the Government of India, Ministry of Labour and Rehabilitation, Department of Labour and Employment, New Delhi, is hereby republished for the information of all concerned.

*F. A. Figueiredo*, Under Secretary (Labour).

Panaji, 9th August, 1971.

## Notification

*Dated the 14th June, 1971*

S.O. — Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947) declared by the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S. O. 4062 dated the 8th December, 1970, the banking industry carried on by a banking company as defined in clause (bb) of section 2 of the said Act, to be a public utility service for the purposes of the said Act, for a period of six months from the 29th December, 1970;

And whereas the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of

section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a further period of six months from the 29th June, 1971.

(F. No. S. 11025/17/71-LR.I)

Sd/-

T. K. RAMACHANDRAN

Under Secretary to the Govt. of India.

#### Notification

LC/1/ID/(Pus)/71/10

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that it is necessary in the public interest that the Industry engaged in the production, supply and distribution of Petroleum and

Petroleum products should stand included in the First Schedule appended to the Industrial Disputes Act, 1947 (14 of 47) (hereinafter referred to as 'the said Act');

Now therefore, in exercise of the powers conferred under sub-section (1) of section 40 of the said Act the Lieutenant Governor of Goa, Daman and Diu, hereby amends the First Schedule appended to the said Act as follows:—

In the First Schedule appended to the said Act the following shall be added as entry No. 11, namely:—

"11. Production, Supply and distribution of petroleum and petroleum products."

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

*F. A. Figueiredo*, Under Secretary (Labour).

Panaji, 17th August, 1971.